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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
07 AT SEATTLE

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12 MARISELA MANZO-TORRES) CASE NO. C04-1663-RSM
and OSCAR OLVERA,)
Petitioners,)
v.) ORDER OF DISMISSAL
JOHN D. ASHCROFT, et al.,)
Respondents.)
_____)

13 The Court, having reviewed the Petition for Writ of Habeas Corpus, the Report and
14 Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and any
15 objections or responses to that, and the remaining record, finds and Orders as follows:

- 16 (1) The Court adopts the Report and Recommendation;
17 (2) The Petition for Writ of Habeas Corpus (Dkt. #1) is GRANTED;
18 (3) This matter is REMANDED to the Board of Immigration Appeals for
19 consideration of petitioner's application for cancellation of removal;
20 (4) Respondents' motion to dismiss (Dkt. #16) is DENIED; and
21 (5) The Clerk shall send a copy of this Order to all counsel of record, and to the
22 Honorable Mary Alice Theiler.

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24 DATED this 20 day of May, 2005.

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RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE